

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BRAUER SUPPLY CO. 524(g))
ASBESTOS PERSONAL INJURY)
TRUST,)
)
Plaintiff,)
)
)
vs.) Case No. 4:09CV1640 RWS
)
)
ATLANTA INTERNATIONAL INS. CO.,)
et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before me on defendants' motion to compel. In support of their motion, defendants claim that plaintiff refused to meet and confer by telephone or in person as required by Local Rule 3.04 as a waste of time and money. The meet and confer requirement prior to filing a discovery motion is not a formality that the parties may ignore for their own convenience. The motion will be denied without prejudice. The parties shall comply with both the letter and the spirit of Local Rule 3.04 in an attempt to resolve this issue, as it appears to the Court one that competent counsel could readily resolve without wasting the Court's time.

Accordingly,

IT IS HEREBY ORDERED that the joint motion to compel [#71] is denied without prejudice.


RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 27th day of September, 2010.